IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.403 OF 2006
WITH
CIVIL APPLICATION NO.489 OF 2006

G.S.L.(India) Limited. ..Appellants.

V/s.

M/s.Blue Dart Express Ltd. & Anr..Respondents.

Mr.A.M.Saraogi for appellants.

Ms.Alpana Ghone i/b DSK legal for respondent No.1.

Mr.Rafeeq Peermohideen with Ms.Oindula Maitra i/b. Parasd Kuhad & Associates for respondent No.2.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 7, 2006.

P.C. :

1. Heard counsel for the parties.

2. I see no propriety in interfering with the order, which is impugned in this appeal from order refusing to grant ad-interim order for the reasons recorded in the order.

3. This appeal is accordingly, disposed of leaving all questions open to be decided in the pending proceedings before the Trial Court.

4. I am informed that both the Notice of Motions

are now listed for hearing on 14th July, 2006. The trial Court may proceed to decide the said motions on the same date or as early as possible preferably by end of August, 2006.

5. It will be open to the appellant to amend the pleadings in the former suit, if so advised. All these questions will have to be considered on its own merits in accordance of the law.